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In re Application of

Xybernaut Corporation

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Hon. Commissioner of Patents and Trademarks Washington, DC 20231

Sir:

Please recognize **Christopher M. Tucker, Esq., Reg. No. 48,783**, Suite 550 Hyatt Plaza, 12701 Fair Lakes Circle, Fairfax, VA 22033, as my associate attorney to transact any and all matters in the above-identified application. Please address all future communications to:

James J. Ralabate 5792 Main Street Williamsville, NY 14221

Phone: (716) 634-2280

Respectfully submitted,

JAMES J. RALABATE

Williamsville, NY Dated: October 1, 2001